

**Town of Foxborough  
Conservation Commission Minutes  
January 27, 2014**

**Members Present:** Robert Boette (Chair), Allan Curtis (Vice Chair), Eric Nelson (Clerk), Douglas Davis, Judith Johnson and James Marsh  
**Members Absent:** Valerie Marshall  
**Staff Present:** Jane Sears Pierce, Conservation Manager and Lee Ann Tavares, Secretary  
**Others Present:** See attached sign-in sheet

**Meeting Opened**

Bob Boette opened the meeting, held in the Boyden Library, at 7:00 p.m.

**Route 1 & Route I-95, Requests for Determination, Mass Department of Transportation**  
**Information Reviewed:** RFDs received 1/7/14, Rights of Way Sensitive Area Materials List

Bob opened the meeting by reading the legal notice, as posted in the Sun Chronicle and the Foxboro Reporter. The Applicant's representative, Tom McGuire, was present to review the proposed projects. Mr. McGuire reviewed the Mass Department of Transportation's (MassDOT's) five year Vegetation Management Plan (VMP) cycle for high speed, limited access roads. The new five year VMP will be issued soon. He also presented a Rights of Way Sensitive Area Materials List detailing herbicides to be used, which have been approved by the Mass Department of Agricultural Resources and the Department of Environmental Protection.

Mr. McGuire stated that all maintenance work will be performed more than 10 feet away from wetland areas. Treatment will occur in a two foot wide area under guardrails and on the median. Herbicides will only be applied by contractors licensed by the state. Mr. McGuire explained that 94% of vegetation is controlled by mowing, hand cutting and the use of pavement millings as mulch to prevent growth. About 1% of the vegetation is controlled by herbicide application methods such as a cut stump surface treatment and direct spray onto fully developed leaves.

Mr. McGuire reviewed Rt. I-95's no spray, limited spray and alternate-year spray zones, which would be designated by markers posted on guardrails or poles along the roadway. Last year, a complete spray was done, so this year, Zone 2 areas (aquifer/well head areas) will not be sprayed as they are only done every other year. DOT will stay 100 feet away from Robinson's Brook and most rivers.

Jane noted concern about wetland areas on Route I-95's sheet 16 of 24, which were in the upper watershed of newly discovered marbled salamander pools that had been documented on Oak Street conservation land. Mr. McGuire changed these to "No Spray" areas. He explained that DOT ensures that spray designation markers are present each spring and ensures that the designations are adhered to during treatments. The Commission will be notified of treatments and the VMP, once these are issued. Judi asked whether Japanese knotweed would be targeted and Mr. McGuire stated that both knotweed and poison ivy will be targeted.

Mr. McGuire reviewed the Route 1 sheets and advised that herbicides will not be sprayed within 100 feet of riverfront areas. Areas within 10 feet of wetland areas will not be sprayed at all and they will not spray on rainy or windy days. Doug noted his concern about the area near North Street on sheet 3 of 12, which Mr. McGuire changed to a "No Spray" area. He will send copies of the revised sheets to the Commission. Mr. McGuire requested a Negative Determination for five years, to run with the new five year plan; the RFDs will become part of the VMP.

**Motion** was made by Doug Davis to close the meeting and to issue Negative Determinations (#5) for the RFDs for Route 1 and Route I-95, which will be valid for the duration of the Vegetation Management Plan; seconded by Eric Nelson. **Vote: 6-0-0**

### 2013 Minutes for 6/17, 7/8, 8/26, 9/9, 9/23, 10/7, 10/21, 11/18, 12/2, and 12/16

**Motion** was made by Eric Nelson to accept the above-listed meeting minutes as reviewed and amended during the meeting; seconded by Jim Marsh. **Vote: 6-0-0.**

### Willow Street Conservation Areas

Judi relayed that she had found another deer carcass at the entrance to conservation property on Willow Street. Judi reported the situation to the Foxboro Animal Control Officer. This time the meat had been removed from the carcass, which was dumped underneath the sign at the entrance to the property. The Commission discussed the implications of the removal of meat and leaving the carcass behind, believing that the deer must have been taken illegally, since permitted hunters are required to bring deer carcasses to DFW weighing posts.

### 2013 Annual Report

Jane distributed copies of her draft of the 2013 Annual Report for the Commission's review and approval.

**Motion** was made by Eric Nelson to accept the report as amended during the meeting; seconded by Judi Johnson. **Vote: 6-0-0**

*Eric Nelson left the meeting.*

### Regulations for Foxborough's Wetland Bylaw (Article IX), Continued Hearing,

The Commission discussed the proposed additions to the Regulations, drafted by Jane.

**Motion** was made by Jim Marsh to continue the hearing for Foxborough's Wetland Bylaw (Article IX) Regulations to February 10, 2014; seconded by Allan Curtis. **Vote: 5-0-0**

### Meeting Adjourned

**Motion** was made by Judi Johnson to adjourn; seconded by Jim Marsh. **Vote: 5-0-0**

The meeting adjourned at 9:31 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Lee Ann Tavares: 1/30/14

Reviewed by Jane Sears Pierce: 2/03/14

Approved by Commission: 2/10/14

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### Documents, Not Referenced Above

#### Attached Documents:

1. Agenda, January 27, 2014
2. Meeting Sign In Sheet

#### Location of Other Documents:

3. Manager's Report, filed in Manager's Report binder in the Conservation Office.
4. Referenced projects' documents: please see Conservation Commission's project file